

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

Motion GRANTED.

TERRANCE M. SMITH and GLORIA
TERRY, Individually and On Behalf of All
Others Similarly Situated,

Plaintiff,

vs.

MID SOUTH WAFFLES,

Defendant.

CIVIL ACTION NO:
3:13-CV-01074

Judge Trauger
Magistrate Judge Brown

SECOND JOINT MOTION TO EXTEND RESPONSE BRIEF DEADLINE

Plaintiffs Terrance M. Smith and Gloria Terry (“Plaintiffs”) and Defendant Mid South Waffles, Inc. (“Defendant”) (appearing specially),¹ file this joint motion to extend the deadline for Plaintiffs to respond to Defendant’s pending Motion to Dismiss or Stay Proceedings and Compel Arbitration [Doc. 6-7] through and including March 7, 2014. In support of their Motion, the parties state as follows:

1. On January 10, 2014, the Court granted the parties’ Joint Motion to Continue Initial Case Management Conference and to Extend Response Brief Deadline [Doc. 11], extending the time for Plaintiffs to respond to Defendant’s pending Motion to Dismiss or Stay Proceedings and Compel Arbitration [Doc. 6-7] until February 7, 2014, and continuing the initial case management conference until after the Court rules on Defendant’s motion to compel arbitration.

¹ Defendant Mid South Waffles, Inc. appears specially and without waiver of any defenses, including its right to compel arbitration pursuant to the arbitration agreements entered into by each Plaintiff and Mid-South Waffles.